

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**USDC-SDNY  
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RICHARD J. BLITZ,

Plaintiff,

BLDG MANAGEMENT CO., INC., *et al.*,

Defendants.

20-CV-5462 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

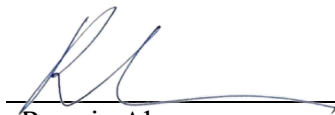
Before the Court is an application by Third Party Defendant and Counter Claimant Wendi Newman seeking a hearing at which Plaintiff Richard Blitz would be required to show cause as to why “an order should not be issued enjoining the Plaintiff during the pendency of this action from banging on the common (adjacent) wall between his apartment and Third Party Defendant Wendi Newman’s apartment, and banging on his ceiling and other wall as well.” Proposed Order to Show Cause at 1. Newman is also seeking a temporary restraining order during the pendency of the application that would “restrain and enjoin [Plaintiff] from banging on the adjacent walls. *Id.* at 2.

The Court is unable to grant any injunctive relief because it does not appear that Newman has substantive claims against Blitz. It is well-established that an “injunction is not a separate cause of action; it is a remedy.” *Chiste v. Hotels.com L.P.*, 756 F. Supp. 2d 382, 407 (S.D.N.Y. 2010). Where a movant has no substantive causes of action, a claim for injunctive relief cannot stand on its own. *See Harbor Distrib. Corp. v. GTE Operations Support Inc.*, 176 F. Supp. 3d 204, 217 (E.D.N.Y. 2016). While Newman has outstanding counterclaims against landlord-Defendant BLDG, she does not appear to have any substantive claims against Blitz. Without such a claim,

the Court cannot grant the injunctive relief Newman seeks as to Blitz. Accordingly, the instant application is denied.

SO ORDERED.

Dated: July 20, 2022  
New York, New York



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Ronnie Abrams  
United States District Judge